

AMENDED

ASSIGNED

APPLICATION FOR PERMIT

Serial No. 10170

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office SEP 22 1937
Returned to applicant for correction NOV -6 1937
Corrected application filed NOV 10 1937

The undersigned Leo F. Schmitt,
Name of applicant
of Reno, County of Washoe,
State of Nevada, hereby makes application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Smith Creek
Name of stream, lake, or other source
2. The amount of water applied for is 2000 acre feet & Surplus flood and unappropriated water.
One second-foot equals .40 miners' inches
3. The water to be used for irrigation, domestic
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T. 18 N., R. 39 E., M.D.B.&M.

Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 578.31
- (b) Description of land to be irrigated Lands in Sec. 31, 32, 33, 34, T. 18 N., R. 39 E; Secs. 7, 8, 17 and 19, T. 17 N., R. 40 E., and sections 3 and 24, T. 17 N., R. 39 E., Sec. 36, T. 18 N. R. 38 E.
Describe by legal subdivision; or if on unsurveyed land should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
- (c) Use will begin about March and end about October, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is horsepower.
- (e) Works to be located Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
- (f) Point of return of water to stream Describe in same manner as point of diversion.

- (g) State number and kinds of animals to be watered
- (h) Use will begin about and end about, of each year.
Month Month

- (i) Remarks

DESCRIPTION OF PROPOSED WORKS

Dam crossing the quarter section line between SW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 31, T.

State manner in which water is to be diverted; whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions. water to the west and to be located in NW $\frac{1}{4}$ of Sec. 31, T. 18 N., R. 39 E.

5. Estimated cost of works \$2500.00

6. Estimated time required to construct works 7 weeks

7. Remarks Dam will be of earthen construction, with control gate,
For use of applicant
and spillway.

Leo F. Schmitt, Applicant.

By

Compared

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to appropriate and store unappropriated and flood waters is granted subject to all prior rights on the source. It is understood that this reservoir may be used as a regulatory reservoir to conserve, as much as possible, the use of water claimed under vested rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2000

xxbixxfeetxxpkxxsecondxxxx acre feet.

Actual construction work shall begin on or before October 26, 1938

Proof of commencement of work shall be filed before November 26, 1938

Work must be prosecuted with reasonable diligence and be completed on or before October 26, 1940

Proof of completion of work shall be filed before November 26, 1940

Application of water to beneficial use shall be made on or before

October 26, 1942 Proof of the application of water to beneficial

use must be filed with State Engineer on or before November 26, 1942

Map Filed Oct. 29, 1937

WITNESS MY HAND AND SEAL this 26th day

Proof of commencement of work filed JAN 25 1939

of April , 1938

Proof of completion of work filed DEC 16 1940

for 2,000 acre ft storage

Proof of Beneficial use filed JAN 7 1943

Certificate No. 2764 issued February 2, 1944, 1943 irrigation & domestic

Alfred Merritt Smith

February 5, 1944, BK. A, Page 456

State Engineer.

Sander County Records

By

H.W. Revert, Assistant State Engineer